

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE

In re:

Chapter 13

JOHN CLIFTON YORK  
Debtor(s)

Case No. 12-16117

**MOTION TO DISMISS AND NOTICE OF HEARING**

**Notice is hereby given that:** A hearing will be held on this Motion on January 30, 2014, at 9:00 a.m. in Courtroom A, Historic U.S. Courthouse, 31 East 11th Street, Chattanooga, TN 37402. **If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the above matter and may enter an order granting that relief.**

Comes C. Kenneth Still, Trustee, pursuant to U.S.C. § 1307 and moves that this case be dismissed. The Trustee would respectfully show unto the Court that the Debtor(s) are in material default with respect to the terms of the confirmed plan because plan payments to the Trustee have not been made as proposed. The Trustee's records indicate that:

X As of December 26, 2013, the Debtor(s) plan payments from NOV 2013 to DEC 2013 are in arrears \$1898.00.

N/A As of December 26, 2013, the Debtor(s) has/have failed to make payments under the terms of the confirmed plan.

By: \s\ Kara L. West  
Kara L. West (TN No. 25744)  
Attorney for C. Kenneth Still  
Chapter 13 Standing Trustee  
P.O. Box 511  
Chattanooga, TN 37401

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Notice and Motion to Dismiss has been served upon the following by United States First Class Mail with sufficient postage affixed, and/or by ECF through the Bankruptcy Court.

Debtor(s):  
JOHN CLIFTON YORK  
805 NORTH PRYOR COVE ROAD  
JASPER TN 37347

Debtor's Attorney Served via ECF:  
CHARLES G JENKINS JR ESQUIRE

By: \s\ G. FOWLER  
Chapter 13 Office Clerk  
Dated: December 26, 2013